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GERMAN SCIENTISTS PROGRAM

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In the spring of 1946, Special Assistant to the Secretary for Intelligence, Colonel McCormack, told me that because of my experience in German security problems during the war, he had designated me as a State Department member of the Joint Intelligence Objectives Agency, a Joint Chiefs of Staff organization, to handle for the State Department the implementation of a SENCC directive relating to the immigration of German scientists. These were the only instructions that Colonel McCormack gave, for he soon left the Department. An examination of the Department's file, however, showed that the subject had been considered largely in the Office of Controls, where the Department's responsibility for immigration visas rests, and that it was the view of the officers in the Office of Controls (particularly Messrs. Broadford and Cummings, concerned with travel security, and Mr. Travers, Chief of the Visa Division) that the State Department had the sole security responsibility for immigration; and that it was the intention of the directive that the Department should facilitate the entry of scientists but consistently with the law regarding issuance of visas. The file showed that in the course of the formulation of the directive within the Department, it emphasized that the security responsibility would continue to be in the State Department abroad and in the Office of Controls.

I was told thereafter, especially by Mr. Travers, that the Department would give all the special facilities for immigration which were permissible such as we were doing in the case of DP's, but he also insisted upon the need for a Presidential order like that issued for the DP's so as to assure maximum facilitation by the State Department and the Department of Justice. It was necessary to know from the President whether the number intended for early immigration and citizenship, described as "a limited number", was intended to cover a maximum of about 50 (according to one version current in the Department) or a higher figure. If our aim was to make Americans out of the cream of German science, I was told, only a small number definitely not exceeding 50 and perhaps smaller, was intended for special treatment. But if, as later developed at the meetings of the JIOA, the idea was to offer immigration status to a maximum number of scientists as an inducement to them not to join the Russians, or the French, a Presidential clarification was definitely needed.

It is important to note that the idea of large-scale movement of Germans to the United States as a means of denial to the Russians was not proposed by the armed forces until SENCC's Paperclip Program was proposed in August. Up till then the talk was of exploitation of scientists valuable to us. Not until JIOA had been going for months did it appear to the State Department that neither the Army nor the Navy intended to employ these scientists in the United States but only to bring them in to obtain employment in private industry, without any restraint, in the hope that they would stay and thereby be denied to the Russians. But this required a new directive from SENCC, and

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TOP SECRET

the representatives of the armed services did not get around to implementing this view until August 1946 when the Paperclip Program was expanded. They had not filled the old quota, and since August 1946, it appears that they have still not filled the expanded quota.

The security files also showed a history, going back to the last war, of the rebuilding of German war potential on American and other foreign soil, and we were engaged in trying to get Latin-American and neutral countries to send dangerous Germans, especially scientists, back to Germany. The Office of Controls and the Office of Economic Security Policy were actively concerned with this problem.

It was the view of Assistant Secretary Braden, responsible for carrying out the Inter-American commitments, particularly those of Rio and Mexico City, that our implementation of the scientists program must be consistent with our international obligations.

The issue which came up between the members of the armed services, represented in JIOA, and the Department was simply this: The armed services interpreted the SNNCC directive to mean that the State Department would "facilitate" immigration visas by granting visas en masse to all scientists whom the Army proposed, without any individual investigation, and that in fact the State Department would waive visa requirements in all these cases. The Department instructed me and I so informed the services, that this was not the intention of the directive and that the directive clearly stated that the immigration would have to be in accordance with the immigration law on the subject. Furthermore, the Department instructed me that the administration of the directive would have to be effected in such a way as not to involve the United States in a violation of the international commitments under which we were seeking to exclude dangerous Germans from the Western Hemisphere and to return them even from such neutral countries as Spain, Switzerland, Portugal and Sweden. These instructions came from Under Secretary Acheson, following conferences with Assistant Secretary Braden, Deputy Assistant Secretary Panuch and Deputy Assistant Secretary Gross for General Hildring. However, I also took and expressed the view from the very first meeting on the subject that it was necessary to prevent the Russians from getting any German scientists, even if they were the worst Nazis and otherwise the most dangerous so far as international commitments were concerned, and that for this purpose the Army should promptly bring in military custody to the United States every scientist who might be kidnapped or inveigled or who might voluntarily go the Russians and assure that he would not leave the United States custody thereafter.

Accordingly from the beginning, representing the Department and acting solely as liaison for the interested divisions of the Department, I presented the following views:

1. The Department could not promise immigration visas en masse or merely upon the presentation of names without satisfying the statutory obligations of the Consuls and of the Department in individual cases, as imposed by Congress and stated by the SNNCC paper. Yet the services never submitted, until very recently, any individual names of applicants although constantly urged. Even the ten sample Air Force cases were submitted only in a preliminary manner, and not as applicants.

REF ID: A66003-0324
TOP SECRET

2. I asked for and ultimately obtained an expansion of the Paperclip program, then limited to a few hundred cases, so as to bring into the United States as soon as possible every German scientist and technician who should be denied to the Russians.

3. The request of the JIOA, I caused to be prepared in the Office of Controls a statement of what would be probable relevant factors in the minds of the Consular and Departmental officers concerned in visa issuance to consider in each application for a visa. This document was approved by the Chief of the Visa Division and his assistant and by other officers of the Office of Controls. It was in response to various questions as to what might be relevant in the minds of any Consul or the Visa Division on security and was motivated entirely by ten sample cases which had been submitted at my request by the Air Forces.

4. The matter of the Departmental position on this subject was cleared with Assistant Secretary Russell for Administration, with Assistant Secretary Braden and with Under Secretary Acheson. I was instructed especially after Mr. Braden's questions concerning the consistency between this program and the Inter-American commitments that the Department should insist upon an administration which would exclude from the United States all dangerous Nazis and persons of a character who would be excluded from the country under the Inter-American commitments. This was communicated by me to JIOA.

5. It was frequently pointed out by me that the free movement of Germans into the United States might prove to be an aid to the Russians rather than the contrary, since they could leave the United States for Russia directly or via other countries if they merely lived here freely, whereas if kept in military custody in the United States we could prevent their departure. I sought the assistance of the legal authorities of the War Department to work out a plan by which even after the war conditions were over we could prevent the movement of the German scientists who were not eligible for entry into the United States and whom we wished to deny to the Russians. Such truly military custody would, moreover, satisfy our international obligations.

I wish to emphasize that under the original Paperclip Program (also called Operation Overcase), which pre-existed the SWNCC immigration directive, and since August 1946 under the expanded Paperclip Program, the Army and Navy have had a complete and free hand to bring in any German they wanted without consultation or even notification to the State Department. The failure, therefore, if any exists, to bring in any scientist is not ascribable to the State Department or any officer of the State Department.

Certain representatives of the Army and Navy and JIOA seemed to feel that the State Department could issue visas (or have them issued) without any question and regardless of the evidence. The State Department's position was that the statute, and the SWNCC directive itself, did not permit such abdication and that the State Department could properly be criticized by Congress and by the courts. On the other hand, we offered our facilities to expedite such investigations as were possible abroad and here in individual visa cases and continued to press

for

TOP SECRET

REF ID: A66001-0377
TOP SECRET

for large-scale movement in military custody to the United States. In the War Department it appeared there was a difference of opinion as to whether the War Department should or would undertake any investigations and JIOA experienced extreme difficulties in getting any investigations by G-2 abroad or here, after arrival.

That the Department's security fears were not baseless was recently demonstrated when a war criminal, wanted for war crimes of a bestial kind, was found here among these scientists, to be returned to Germany.

The State Department has never been able to get from the Army or Navy the facts with respect to the operation of the program. Finally the Department determined upon my advice to leave JIOA and to work through the Office of Controls in the facilitation of visas. This advice was concurred in by Mr. Eddy, Assistant Secretary Hilldring and Under Secretary Acheson. It has appeared since then that a Departmental committee organized at my suggestion under the direction of the Office of Controls to coordinate the various Departmental Divisions concerned with the problem has expressed dissatisfaction with the data supplied by the Army in individual cases and has requested further investigation. I am also informed that opinion now prevails in the War Department that the security aspects are so serious and the implications on immigration policy such that the requests for immigration visas will be considerably restricted.

I conclude that if the position presented by me in the spring of 1946 had been adopted, at least 1,000 German scientists would have been brought to the United States by the quickest transportation, to be denied to the Russians. On the other hand there has been ample reason to doubt that the program had that sympathy in the armed services that would provide motive power for serious implementation.

TOP SECRET

REF ID: A66001-0377